

UNITED STATES DISTRICT COURT

for the

Northern District of California

CENTER FOR BIOLOGICAL DIVERSITY, and  
CENTER FOR ENVIRONMENTAL HEALTH,  
non-profit corporations,

*Plaintiff(s)*

v.

GINA McCARTHY,  
in her official capacity as Administrator of the United  
States Environmental Protection Agency,

*Defendant(s)*

Civil Action No. 4:16-cv-5492 DMR

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Gina McCarthy, Administrator  
Environmental Protection Agency  
Office of the Administrator, Mail Code 1101A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

And all named Defendants and counsel

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jonathan Evans  
CENTER FOR BIOLOGICAL DIVERSITY  
1212 Broadway  
Suite 800  
Oakland, CA. 94612

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 9/27/2016

CLERK OF COURT



Susan Y. Soong

*V. K. M. O.*

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* EPA Administrator Gina McCarthy  
was received by me on *(date)* November 30, 2016.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*: Sent via certified mail with return receipt requested on September 30, 2016.  
Received by the office of EPA Administrator McCarthy on October 4, 2016.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: 10/18/2016



*Server's signature*

Russell Howze, Paralegal

*Printed name and title*

Center for Biological Diversity  
1212 Broadway, Suite 800  
Oakland, CA. 94619

*Server's address*

Additional information regarding attempted service, etc: